

REMARKS

Applicants request favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1 through 34 are pending in this application, with Claims 1, 7-8, 10-15, 17, 19, 21, 23, 24-27, 29, and 31-33 being independent claims.

Claims 15, 17, 19, 21, 27, 29 and 33 have been amended. Support for the amendments can be found in the original specification, and therefore, no new matter has been added.

Claims 15, 17, 19, 21, 23, 27, 29, and 33 were rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Regarding Claim 23, Applicant submits that the claimed invention is directed to an apparatus and apparently was rejected in error. With respect to the other rejected claims, Applicant has amended the claims to recite a program that is embodied in a computer-readable medium. Accordingly, Applicant submits that the claims are clearly directed to patentable subject matter, and withdrawal of this rejection is requested.

Claims 1-34 were provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over Claims 1-15 of copending Application No. 10/600,620, but would be allowable if a terminal disclaimer were filed to overcome the obviousness-type double patenting. Applicant respectfully traverses this rejection for the following reasons.

As recited, for example, in Claim 1 the present invention includes the features of input means for inputting additional information representing whether or not to multiplex noise for each pixel and, if so, calculating a luminance addition value for a pixel of interest based on the luminance of a neighboring region near the pixel of interest. Thus, the input additional information represents whether or not noise is to be multiplexed. In contrast, the invention as recited in Claim 1 of Application No. 10/600,620, for example, inputs additional information representing which of first and second visible intensities is used for multiplexing noise. Hence,

in the co-pending application, the input additional information indicates which visible intensity should be used for multiplexing noise. Applicant submits that the present pending claims are not obvious over those of the co-pending application, and the Examiner has not provided any explanation as to why or how the above-mentioned features of the pending claims are obvious over the claims of the co-pending application.

Accordingly, withdrawal of the provisional rejection is requested.

In view of the foregoing, Applicant submits that this application is in condition for allowance. Favorable reconsideration, withdrawal of the outstanding rejections, and an early Notice of Allowance are requested

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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